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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/925,613	08/09/2001	Attila Szepesvary	0102874-00005	2976

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EXAMINER

TANG, KUO LIANG J

ART UNIT	PAPER NUMBER
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2122

DATE MAILED: 08/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/925,613	SZEPESVARY ET AL.	
	Examiner	Art Unit	
	Kuo-Liang J Tang	2122	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 August 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>8/15/03</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This Office Action is in response to the amendment filed on 8/9/2001.

The priority date for this application is 12/22/2000.

Claims 1-25 are pending and have been examined.

Claim Objections

Claim 1 is objected to because of the following informalities: line 4, "tokens," should be replaced by "tokens;". Appropriate correction is required.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

2. Claims 19-25 are reject under 35 U.S.C. § 101 as being directed to non-statutory subject matter.

While claims 19-25 are in the technological arts, these claims are not limited to "a practical application of an abstract idea which produced a useful, concrete, and tangible result." *State Street Bank & Trust v. Signature Financial Group, Inc.*, 149 F. 3d 1368, 1375 n. 9 (Fed. Cir. 1998).

Specifically, claim 19 is directed to a system for identifying user interface (UI) objects in markup-language-based applications comprising a scanner & a parser. A system comprising a scanner and a parser which are software-based components is considered to be software program per-se. Applicants thus fail to disclose that this system is embodied and executed by a piece of hardware and that their functions have

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practical applications which produce useful, concrete, and tangible results under the State Street Formulation.

On this basis, claim 19 and claims 20-25 which depend from claim 19 are rejected under 35 U.S.C. § 101.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-12 and 18-25 are rejected under 35 U.S.C. 102(e) as being anticipated by Jennings, US Patent No. 6,717,593.

As Per Claim 1, Jennings teaches that the interactor parses the description documents of an interface into elements and reflects them in the object model to form an instance representing the interface, downloads the objects corresponding to the reflected elements registers their interfaces in the object model instance to make them accessible by the elements, and invokes execution of each downloaded object with the corresponding element to render the element. (E.g. see Abstract and associated text). In that Jennings discloses the method that covering the steps of a method for identifying user interface (UI) objects in a markup-language stream, the method comprising the steps of:

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“A) scanning any of (i) the markup-language stream and (ii) a corresponding document object model (DOM) to generate tokens,” (E.g. see FIG. 16 and associated text, e.g. see col. 7:35-52).

“B) parsing the tokens based on a grammar to identify one or more UI objects” (E.g. see col. 7:42-44).

As Per claim 2, the rejection of claim 1 is incorporated and further Jennings teaches:

“wherein said markup-language stream drives a markup-language-based browser application, and wherein the scanning step includes scanning the DOM generated by a browser that displays that application.” (E.g. see col. 7:35-52).

As Per claim 3, the rejection of claim 1 is incorporated and further Jennings teaches:

“wherein the scanning step includes identifying elements of the DOM by traversal thereof.” (E.g. see FIG. 16 and associated text, e.g. see col. 7:53-57).

As Per claim 4, the rejection of claim 3 is incorporated and further Jennings teaches:

“wherein the grammar is application-specific.” (E.g. see col. 7:53-65).

As Per claim 5, the rejection of claim 3 is incorporated and further Jennings teaches:

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“wherein the scanning step includes generating one or more tokens for each parsed DOM element.” (E.g. see col. 7: 7:42-45).

As Per claim 6, the rejection of claim 3 is incorporated and further Jennings teaches:

“wherein scanning step includes mapping DOM elements to tokens.” (E.g. see col. 7:35-52).

As Per claim 7, the rejection of claim 1 is incorporated and further Jennings teaches:

“wherein the parsing step includes parsing the tokens according to the grammar to identify and distinguish among UI objects in the markup-language stream.” (E.g. see col. 7:53-65).

As Per claim 8, the rejection of claim 7 is incorporated and further Jennings teaches:

“wherein said UI objects comprise user input fields (E.g. see col. 7:31-32, text entry and see FIG. 15, block “Password” and associated text), text fields (E.g. see col. 7:31-32, text entry and see FIG. 15, block “Text” and associated text)), metatags (E.g. see FIG. 4 and associated text, e.g. see col. 5:47-50, and col. 7:45-50), unprintable markup-language (E.g. see FIG. 15, block “Hidden” and associated text), and in-line images (E.g. col. 7:35-40 and see FIG. 15, block “Image” and associated text)).”

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As Per claim 9, the rejection of claim 1 is incorporated and further Jennings teaches:

“wherein the scanning and parsing steps are adapted to identify UI objects that correspond to elements displayed in the markup-language application.” (E.g. see FIG. 16 and associated text, e.g. see col. 7:35-52).

As Per claim 10, the rejection of claim 9 is incorporated and further Jennings teaches:

“wherein said parsing groups the tokens into syntactic structures that identify items displayed by the markup-language application.” (E.g. see col. 7:20-25).

As Per claim 11, the rejection of claim 9 is incorporated and further Jennings teaches:

“wherein said step of scanning can include identifying similarly formatted markup-language elements based on their markup-language attributes such as classname, font size, style, tag color, and size.” (E.g. see col. 5:17-29, style sheet).

As Per claim 12, the rejection of claim 9 is incorporated and further Jennings teaches:

“wherein said objects comprise name (E.g. see col. 6:1-3), content (E.g. see col. 6:1-3, value), shape (E.g. see col. 5:64), location (E.g. see col. 6:3-5), and properties (E.g. see FIG. 4 and associated text).”

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As Per claim 18, the rejection of claim 1 is incorporated and further Jennings teaches:

“wherein the markup language is any of HTML,” (E.g. see col. 7:16-20).

As Per Claim 19, is the system claim corresponding to the method claim 1 and is rejected under the same reason set forth in connection of the rejection of claim 1.

As Per claim 20, the rejection of claim 19 is incorporated and further Jennings teaches:

“wherein the list of UI objects corresponds to elements displayed by the markup-language DOM.” (E.g. see FIG. 16 and associated text, e.g. see col. 7:53-65).

As Per claim 21, the rejection of claim 20 is incorporated and is rejected under the same reason set forth in connection of the rejection of claim 12.

As Per claim 22, the rejection of claim 19 is incorporated and is rejected under the same reason set forth in connection of the rejection of claim 4.

As Per claim 23, the rejection of claim 19 is incorporated and further Jennings teaches:

“wherein said tokens are interpreted according to the grammar to identify and distinguish among UI objects of a markup-language application's display.” (E.g. see FIG. 16 and associated text, e.g. see col. 7:35-65).

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As Per claim 24, the rejection of claim 19 is incorporated and is rejected under the same reason set forth in connection of the rejection of claim 8.

As Per claim 25, the rejection of claim 19 is incorporated and is rejected under the same reason set forth in connection of the rejection of claim 18.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 13-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jennings in view of Rush et al., US Patent No. 6,622,144 (hereinafter Rush).

As Per Claim 13, the rejection of claim 1 is incorporated and further Jennings does not explicitly disclose YACC. However, Rush in an analogous art teaches "wherein said parser is built using automated tools such as YACC (yet another compiler-compiler)". (E.g. see col. 4:47-60). Therefore, it would have been obvious to incorporate the teaching of Rush into the teaching of Jennings to use automated tools such as YACC. The modification would have been obvious because one of ordinary skill in the art would have been motivated to use YACC to Separate and identify the individual token tags within the tokenized string.

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As Per claim 14, the rejection of claim 13 is incorporated and further Jennings teaches:

“wherein said parser is built by an automated parser generator tool that accepts a source input file containing a predefined grammar.” (E.g. see FIG. 7 step 401 and associated text, e.g. col. 7:35-65).

As Per claim 15, the rejection of claim 13 is incorporated and further the combination of Jennings and Rush does not explicitly disclose that parser is built manually by hand-programming. However, Official Notice is taken that those skilled in the art are fully aware that parsers can be hand-programmed or built with other commonly available tools.

5. Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Jennings in view of Rush, further in view of Platoff et al. US Patent No. 5,276,880 (hereinafter Platoff).

As Per Claim 16, the rejection of claim 1 is incorporated and further the combination of Jennings and Rush does not explicitly disclose LALR(1) parser. However, Platoff in an analogous art teaches “LALR(1) parser”. (E.g. see col. 4:20-41). Therefore, it would have been obvious to incorporate the teaching of Platoff into the teaching of Jennings and Rush to use a LALR(1) parser. The modification would have been obvious because one of ordinary skill in the art would have been motivated to use

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YACC-compatible parser like LALR(1) parser to Separate and identify the individual token tags within the tokenized string.

6. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Jennings in view of Rush, further in view of Platoff, further in view of Williams, US Patent No. 5,991,539.

As Per Claim 17, the rejection of claim 1 is incorporated and further the combination of Jennings, Rush and Platoff does not explicitly disclose LR(1) parser. However, Williams in an analogous art teaches "LR(1) parser". (E.g. see col. 1:56 – col. 2:3). Therefore, it would have been obvious to incorporate the teaching of Williams into the teaching of Jennings, Rush and Platoff to use a LR(1) parser. The modification would have been obvious because one of ordinary skill in the art would have been motivated to use LR(1) parser to Separate and identify the individual token tags within the tokenized string.

Conclusion

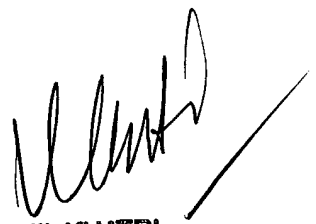
7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kuo-Liang J Tang whose telephone number is 703-305-4866. The examiner can normally be reached on 8:30AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tuan Dam can be reached on 703-305-4552. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kuo-Liang J. Tang

Software Engineer Patent Examiner


ANIL KHATRI
PRIMARY EXAMINER